

## REMARKS

In the Office Action, Paper No. 10, dated October 26, 1999, the Patent Examiner rejected claims 105 through 125 under the judicially created doctrine of double patenting over claims 1-12 of U.S. Patent No. 5,779,459 issued to Walker, et al. (hereinafter the "*Walker et al.* patent"). However, the Patent Examiner indicated that the claims would be allowed if a Terminal Disclaimer is filed in compliance with 37 CFR 1.321.

In response the Patent Examiner's rejections, the applicants have filed a Terminal Disclaimer to expedite prosecution of the present application. In addition, the applicants have added two new independent claims. No new matter is introduced by this amendment.

### A. Rejection of Claims 105-125.

The Patent Examiner rejected claims 105-125 under the judicially created doctrine of non-statutory obviousness type double patenting over the claims of the *Walker, et al.* patent. While the applicants do not agree with this rejection, a Terminal Disclaimer is being filed concurrently herewith solely to expedite prosecution of the present application.

### B. Newly Added Claims.

Newly added independent claims 126 and 127 distinguish over the references cited by the Examiner, alone or in combination, and are similar to issued independent claims 2 and 5, respectively, of the *Walker et al.* patent.

### C. Conclusion.

For the foregoing reasons it is submitted that all of the claims are now in condition for allowance and the Patent Examiner's early re-examination and reconsideration are respectfully requested.

Alternatively, if there remains any question regarding the present application or any of the cited references, or if the Patent Examiner has any further suggestions for expediting allowance of the present application, the Patent Examiner is cordially requested to contact Scott B. Allison at telephone number (203) 461-7050 or via electronic mail at Scott.Allison@WalkerDigital.com.

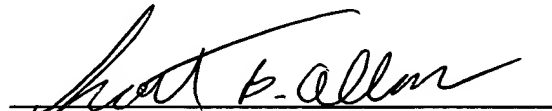
**D. Petition for Extension of Time to Respond.**

Applicants hereby petition for a one-month extension of time with which to respond to the Office Action. Please charge \$ 110.00 for this petition to our Deposit Account No. 50-0271. Please charge any additional fees that may be required for this Response, or credit any overpayment to Deposit Account No. 50-0271.

If an extension of time is required, or if an additional extension of time is required in addition to that requested in a petition for an extension of time, please grant a petition for that extension of time which is required to make this Response timely, and please charge any fee for such extension to Deposit Account No. 50-0271.

Respectfully submitted,

February 25, 2000  
Date

  
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